



1300 I Street N.W.
Suite 400 West
Washington, DC 20005
202-589-3740

January 12, 2007

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Notice of Written Ex Parte Presentation – CC Docket No. 96-115; RM 11277*

Dear Ms. Dortch:

This letter is to advise you that on behalf of Verizon Wireless, I met today with Barry Ohlson and Scott Bergmann, both of the office of Commissioner Jonathan S. Adelstein, to discuss the petition filed by the Electronic Privacy Information Center ("EPIC").

We discussed Verizon Wireless' opposition to an opt-in consent requirement for disclosure to third parties, particularly given that there is no evidence in the record that disclosures made for marketing purposes are the source of information obtained by pretexters. We discussed the importance of retaining the "total service approach", the statutory exception for disclosures contained in 47 U.S.C. § 222(d), and constitutional concerns with opt-in consent. We also discussed why a prohibition against the use of biographic data for authentication purposes would make it impossible for carriers to avoid the use of passcodes, in effect making such passcodes mandatory.

Consistent with the Commission's rules on *ex parte* communications, please associate this letter, which is being filed electronically, in the captioned docket. Please

Ms. Dortch
January 12, 2007
Page 2

let me know if there are any questions related to this filing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charon Phillips". The signature is written in a cursive, flowing style with a large initial "C".

Charon Phillips

cc: B. Ohlson
S. Bergmann